LEGISLATIVE COMMITTEE MINUTES

# SB15

# Bill as Introduced

**SB 15-FN - AS INTRODUCED**

2023 SESSION

23-0793
04/05

SENATE BILL ***15-FN***

AN ACT relative to the use of tree stands and observation blinds.

SPONSORS: Sen. Pearl, Dist 17; Sen. Watters, Dist 4; Sen. Gendreau, Dist 1; Sen. Lang, Dist 2

COMMITTEE: Energy and Natural Resources

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ANALYSIS

This bill amends the permissible uses of tree stands, observation blinds, and pit blinds.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0793
04/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT relative to the use of tree stands and observation blinds.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a to read as follows:

207:36-a Use of Tree Stands, Observation Blinds, and Pit Blinds.

I. No person shall erect, build or use a tree stand or observation blind on land of another person that damages or destroys a tree by inserting into the tree any metallic, ceramic, or other object used as part of a ladder or observation deck, without express written permission from the property owner or designee.

II. No person shall erect, build or use a pit blind on land of another person without express written permission from the property owner or designee.

III. No person shall cut any tree in connection with any of the activities regulated under this section without the express written permission of the property owner or designee.

IV. ***No person shall construct a permanent tree stand or observation blind without written permission from the property owner or designee.***

***V. A portable or temporary tree stand or observation blind that does not violate paragraph I or II may be erected on the land of another between August 1 and December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by January 1, unless allowed by written permission from the property owner or designee.***

*VI.* The permittee shall carry such permit on his person while in the field and shall be subject to inspection on demand of any conservation officer.

[~~V.~~] *VII.* All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.

***VIII. All tree stands or observation blinds shall be labeled with the name and contact information of the owner of the tree stand or observation blind in a clearly visible manner.***

[~~VI.~~] *IX.* Any person who violates any provision of this section shall be guilty of a violation and shall be liable for the amount of damage caused by the act, to be recovered by the property owner sustaining the damage. - Swap w/ Ingo in SB 14

[~~VII.~~] *X.* The executive director shall adopt rules, pursuant to RSA 541-A, relative to the form, issuance and filing of property owner permits for the tree stands, observation blinds and pit blinds.

2 Effective Date. This act shall take effect 60 days after its passage.

LBA
23-0793
12/28/22

# SB 15-FN - FISCAL NOTE
# AS INTRODUCED

AN ACT relative to the use of tree stands and observation blinds.

**FISCAL IMPACT:** **[ X ] State** **[ ] County** **[ ] Local** **[ ] None**

| | Estimated Increase / (Decrease) | | | |
|---|---|---|---|---|
| **STATE:** | **FY 2023** | **FY 2024** | **FY 2025** | **FY 2026** |
| **Appropriation** | $0 | $0 | $0 | $0 |
| **Revenue** | $0 | $0 | $0 | $0 |
| **Expenditures** | $0 | Indeterminable | Indeterminable | Indeterminable |
| ***Funding Source:*** | [ X ] General | [ ] Education | [ ] Highway | [ ] Other |

**METHODOLOGY:**

This bill expands on the existing statute relative to the use of tree stands, observation blinds, and pit blinds, which carries an associated violation level offense. There is no method to determine how many charges, if any, would be brought as a result of this bill to determine the fiscal impact on expenditures. The Judicial Branch has indicated the potential cost per case for violation/misdemeanor level offenses would be $122 in FY 2024 (not including appeals).

It is assumed any fiscal impact, if any, would occur after FY 2023.

**AGENCIES CONTACTED:**

Judicial Branch

**SB 15-FN - AS AMENDED BY THE HOUSE**

4May2023... 1381h

2023 SESSION

23-0793
04/05

SENATE BILL ***15-FN***

AN ACT relative to the use of tree stands and observation blinds.

SPONSORS: Sen. Pearl, Dist 17; Sen. Watters, Dist 4; Sen. Gendreau, Dist 1; Sen. Lang, Dist 2

COMMITTEE: Energy and Natural Resources

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ANALYSIS

This bill amends the permissible uses of tree stands, observation blinds, and pit blinds.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT relative to the use of tree stands and observation blinds.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a to read as follows:

207:36-a Use of Tree Stands, Observation Blinds, and Pit Blinds.

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II. No person shall erect, build or use a pit blind on land of another person without express written permission from the property owner or designee.

III. No person shall cut any tree in connection with any of the activities regulated under this section without the express written permission of the property owner or designee.

IV. ***Except for permissions granted by property owners in paragraphs V and VI of this section,*** the permittee shall carry such permit on his person while in the field and shall be subject to inspection on demand of any conservation officer.

V. ***No person shall construct a permanent tree stand or observation blind without permission from the property owner or designee.***

***VI. A portable or temporary tree stand or observation blind that does not violate paragraph I or II may be erected on the land of another between August 1 and December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by April 1, unless allowed by permission from the property owner or designee.***

[~~V.~~] ***VII.*** All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.

***VIII. All tree stands or observation blinds shall be labeled with the name and contact information of the owner of the tree stand or observation blind in a clearly visible manner.***

[~~VI.~~] ***IX.*** Any person who violates any provision of this section shall be guilty of a violation and shall be liable for the amount of damage caused by the act, to be recovered by the property owner sustaining the damage ***and/or any fine amount levied by the fish and game department.***

[~~VII.~~] *X.* The executive director shall adopt rules, pursuant to RSA 541-A, relative to the form, issuance and filing of property owner permits for the tree stands, observation blinds and pit blinds.

***XI. A property owner shall contact a local or state law enforcement officer or conservation officer to remove and seize a permanent, portable, or temporary tree stand or observation blind which was placed, or the owner of which has failed to remove, in violation of this section.***

2 Effective Date. This act shall take effect January 1, 2024.

LBA
23-0793
Amended 6/9/23

# SB 15-FN FISCAL NOTE
# AS AMENDED BY THE HOUSE (AMENDMENT #2023-1381h)

AN ACT relative to the use of tree stands and observation blinds.

**FISCAL IMPACT:** [ X ] State [ ] County [ ] Local [ ] None

| | Estimated Increase / (Decrease) | | | |
|---|---|---|---|---|
| **STATE:** | **FY 2023** | **FY 2024** | **FY 2025** | **FY 2026** |
| **Appropriation** | $0 | $0 | $0 | $0 |
| **Revenue** | $0 | $0 | $0 | $0 |
| **Expenditures** | $0 | Indeterminable | Indeterminable | Indeterminable |
| ***Funding Source:*** | [ ] General | [ ] Education | [ X ] Highway | [ ] Other |

**METHODOLOGY:**

This bill expands on the existing statute relative to the use of tree stands, observation blinds, and pit blinds, which carries an associated violation level offense. There is no method to determine how many charges, if any, would be brought as a result of this bill to determine the fiscal impact on expenditures. The Judicial Branch has indicated the potential cost per case for violation/misdemeanor level offenses would be $122 in FY 2024 (not including appeals).

It is assumed any fiscal impact, if any, would occur after FY 2023.

**AGENCIES CONTACTED:**

Judicial Branch

**SB 15-FN - VERSION ADOPTED BY BOTH BODIES**

4May2023... 1381h
06/29/2023 2227CofC

2023 SESSION

23-0793
04/05

SENATE BILL ***15-FN***

AN ACT relative to the use of tree stands and observation blinds.

SPONSORS: Sen. Pearl, Dist 17; Sen. Watters, Dist 4; Sen. Gendreau, Dist 1; Sen. Lang, Dist 2

COMMITTEE: Energy and Natural Resources

---

AMENDED ANALYSIS

This bill amends the permissible uses of tree stands, observation blinds, and pit blinds.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT relative to the use of tree stands and observation blinds.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a to read as follows:

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III. No person shall cut any tree in connection with any of the activities regulated under this section without the express written permission of the property owner or designee.

IV. ***Except for permissions granted by property owners in paragraphs V and VI of this section,*** the permittee shall carry such permit on his person while in the field and shall be subject to inspection on demand of any conservation officer.

V. ***No person shall construct a permanent tree stand or observation blind without permission from the property owner or designee.***

***VI. A portable or temporary tree stand or observation blind that does not violate paragraph I or II may be erected on the land of another from April 25 to June 1 and from August 1 to December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by June 1, unless allowed by permission from the property owner or designee.***

[~~V.~~] ***VII.*** All property owner permits shall expire on December 31 of each year unless rescinded by the property owner or designee.

***VIII. All tree stands or observation blinds shall be labeled with the name and contact information of the owner of the tree stand or observation blind in a clearly visible manner.***

[~~VI.~~] ***IX.*** Any person who violates any provision of this section shall be guilty of a violation and*:*

***(a)*** Shall be liable for the amount of damage caused by the act, to be recovered by the property owner sustaining the damage*; and*

*(b) Shall be liable for any fine amount levied by the fish and game department, to be recovered by the department.*

[~~VII.~~] *X.* The executive director shall adopt rules, pursuant to RSA 541-A, relative to the form, issuance and filing of property owner permits for the tree stands, observation blinds and pit blinds.

*XI. A property owner shall contact a local or state law enforcement officer or conservation officer to remove and seize a permanent, portable, or temporary tree stand or observation blind which was placed, or the owner of which has failed to remove, in violation of this section.*

2 Effective Date. This act shall take effect January 1, 2024.

LBA
23-0793
Amended 6/9/23

**SB 15-FN- FISCAL NOTE**
AS AMENDED BY THE HOUSE (AMENDMENT #2023-1381h)

AN ACT relative to the use of tree stands and observation blinds.

**FISCAL IMPACT:** [ X ] State [ ] County [ ] Local [ ] None

| | Estimated Increase / (Decrease) | | | |
|---|---|---|---|---|
| **STATE:** | **FY 2023** | **FY 2024** | **FY 2025** | **FY 2026** |
| **Appropriation** | $0 | $0 | $0 | $0 |
| **Revenue** | $0 | $0 | $0 | $0 |
| **Expenditures** | $0 | Indeterminable | Indeterminable | Indeterminable |
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**METHODOLOGY:**

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**AGENCIES CONTACTED:**

Judicial Branch

CHAPTER 201
SB 15-FN - FINAL VERSION

4May2023... 1381h
06/29/2023 2227CofC

2023 SESSION

23-0793
04/05

SENATE BILL ***15-FN***

AN ACT relative to the use of tree stands and observation blinds.

SPONSORS: Sen. Pearl, Dist 17; Sen. Watters, Dist 4; Sen. Gendreau, Dist 1; Sen. Lang, Dist 2

COMMITTEE: Energy and Natural Resources

---

AMENDED ANALYSIS

This bill amends the permissible uses of tree stands, observation blinds, and pit blinds.

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**CHAPTER 201**
**SB 15-FN - FINAL VERSION**

4May2023... 1381h
06/29/2023 2227CofC

23-0793
04/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Three*

AN ACT relative to the use of tree stands and observation blinds.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

201:1 Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a to read as follows:

207:36-a Use of Tree Stands, Observation Blinds, and Pit Blinds.

I. No person shall erect, build or use a tree stand or observation blind on land of another person that damages or destroys a tree by inserting into the tree any metallic, ceramic, or other object used as part of a ladder or observation deck, without express written permission from the property owner or designee.

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[~~VII.~~] *X.* The executive director shall adopt rules, pursuant to RSA 541-A, relative to the form, issuance and filing of property owner permits for the tree stands, observation blinds and pit blinds.

***XI. A property owner shall contact a local or state law enforcement officer or conservation officer to remove and seize a permanent, portable, or temporary tree stand or observation blind which was placed, or the owner of which has failed to remove, in violation of this section.***

201:2 Effective Date. This act shall take effect January 1, 2024.

Approved: August 04, 2023
Effective Date: January 01, 2024

# Amendments

Sen. Pearl, Dist 17
January 9, 2023
2023-0002s
04/08

Amendment to SB 15-FN

Amend the bill by replacing section 1 with the following:

1 Use of Tree Stands, Observation Blinds, and Pit Blinds. Amend RSA 207:36-a to read as follows:

207:36-a Use of Tree Stands, Observation Blinds, and Pit Blinds.

I. No person shall erect, build or use a tree stand or observation blind on land of another person that damages or destroys a tree by inserting into the tree any metallic, ceramic, or other object used as part of a ladder or observation deck, without express written permission from the property owner or designee.

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~~[VI.]~~ *VIII.* Any person who violates any provision of this section shall be guilty of a violation and shall be liable for the amount of damage caused by the act, to be recovered by the property owner sustaining the damage.

~~[VII.]~~ *IX.* The executive director shall adopt rules, pursuant to RSA 541-A, relative to the form, issuance and filing of property owner permits for the tree stands, observation blinds and pit blinds.

# Committee Minutes

# SENATE CALENDAR NOTICE
## Energy and Natural Resources

Sen Kevin Avard, Chair
Sen Howard Pearl, Vice Chair
Sen Regina Birdsell, Member
Sen David Watters, Member
Sen Debra Altschiller, Member

Date: January 6, 2023

### HEARINGS

| Tuesday | 01/10/2023 |
|---|---|
| (Day) | (Date) |

| Energy and Natural Resources | State House 103 | 9:00 a.m. |
|---|---|---|
| (Name of Committee) | (Place) | (Time) |

| | | |
|---|---|---|
| 9:00 a.m. | **SB 11** | relative to African American burial grounds. |
| 9:15 a.m. | **SB 13-FN** | relative to recovery of search and rescue expenses. |
| 9:30 a.m. | **SB 14-FN** | relative to the use of game cameras. |
| 9:45 a.m. | **SB 15-FN** | relative to the use of tree stands and observation blinds. |

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**SB 11**

| | | | |
|---|---|---|---|
| Sen. Watters | Sen. Perkins Kwoka | Sen. Rosenwald | Sen. Altschiller |
| Sen. Fenton | Sen. Whitley | Sen. Avard | Sen. D'Allesandro |
| Sen. Prentiss | Sen. Gannon | Sen. Chandley | Sen. Carson |
| Rep. DiLorenzo | | | |

**SB 13-FN**

| | | | |
|---|---|---|---|
| Sen. Watters | Sen. Fenton | Sen. Ward | Sen. Gendreau |
| Rep. Sykes | | | |

**SB 14-FN**

| | | | |
|---|---|---|---|
| Sen. Watters | Sen. Gendreau | Rep. Goley | |

**SB 15-FN**

| | | | |
|---|---|---|---|
| Sen. Pearl | Sen. Watters | Sen. Gendreau | Sen. Lang |

Nikolas Liamos 271-3469

Kevin A. Avard
Chairman

# Senate Energy and Natural Resources Committee

*Nikolas Liamos 271-3469*

**SB 15-FN,** relative to the use of tree stands and observation blinds.

**Hearing Date:** January 10, 2023

**Time Opened:** 10:55 a.m. **Time Closed:** 11:28 a.m.

**Members of the Committee Present:** Senators Watters, Avard, Pearl and Birdsell

**Members of the Committee Absent** : Senator Altschiller

**Bill Analysis:** This bill amends the permissible uses of tree stands, observation blinds, and pit blinds.

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**Sponsors:**
Sen. Pearl Sen. Watters Sen. Gendreau
Sen. Lang

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**Who supports the bill:** Senator David Watters (SD 10), Mart Mobley, Kevin Jordan, Daniel Dockham Jr., Kyle Baker, Senator Tim Lang (SD 2), Walt Lacey, Jay Phinizy, Jasen Stock, Tom Thompson, Stephen Wood, Representative Jeff Goley (Hillsborough 21), Matt Leahy, Senator Carrie Gendreau (SD 1), Henry Ahern, Erick Sawtelle, Sean Trombly, Robert Johnson II, and Richard Levis

**Who opposes the bill:** Daniel Love

**Who is neutral on the bill:** None

**Summary of testimony presented in support:**

**Senator Howard Pearl**

**Senate District 17**

- Senator Howard Pearl introduced the bill and stated that this bill will provide clarity on what qualifies as a permanent tree stand, require the owner's name and contact info be posted on a tree stand, and it will provide a time frame for when portable tree stands may be erected.
- Senator Pearl stated that the most important part of the bill is requiring identification on all tree stands.
- Senator Pearl noted that this bill, SB 15-FN and SB 14-FN are basically sister bills.
- Senator Pearl had Amendment 0002s drafted, which removes the time frame to remove a tree stand and removes the written permission section. However, Senator Pearl, after

hearing testimony from SB 14-FN, stated he now believes that Amendment 0002s may have to be changed.

- Senator Watters asked a question, "If we remove the provision that requires a time frame for when a tree stand must be taken down, wouldn't that make all tree stands permanent?", Senator Pearl responded "No not by definition, a permanent stand is typically fastened by inserting a part of it into a tree... if you leave a temporary tree stand mounted, it will become a liability risk due to them not being designed to be permanently mounted".

**Colonel Kevin Jordan**

**Department of Fish and Game**

- Colonel Kevin Jordan began his testimony by citing the existing law that governs tree stands, NH RSA 207 36A, which defines a permanent tree stand as; any tree stand that requires the owner to alter land or damage a tree. This law also prohibits a person from removing tree branches when setting up a tree stand.
- Col. Jordan recounted a personal story of his own use of tree stands while hunting.
- Col. Jordan stated that this bill, SB 15-FN, is a matter of landowner privacy rights just like SB 14-FN.
- Col. Jordan stated that this bill will require owner identification on all kinds of tree stands, for temporary tree stands to be taken down by December 31st and require that the owner of a permanent tree stand must have a permit for its use.
- Col. Jordan stated that if a tree stand is mounted on state property for a hunting season, then it must be removed by Dec. 31st of that year.
- Col. Jordan finished his testimony by stating that this bill has provisions in it that give the landowner the final decision for when tree stands must be removed on their property.

**Mark Ledgard**

**Certified Fish and Game Hunter Safety Instructor and Landowner**

- Mark Ledgard stated that he himself uses a tree stand and gives his friends permission to put tree stands on his property.
- Mr. Ledgard recounted a story where his neighbor had to post a sign to ask for his permission to hunt on his land due to having issues with anonymous tree stands.

**Jay Phinizy**

- Jay Phinizy stated that he would like to see a more severe penalty for violating this bill

**Tom Thompson**

**Landowner, Owner of Thompson Family Tree Farm**

- Tom Thompson stated he wants all tree stands to have owner identification on them including the name and address of the owner.
- Mr. Thompson stated that he sees tree stands as a liability issue for landowners and wants to make sure that they are protected.

**Steven Wood**

**Landowner, Owner of Poverty Land Orchards**

- Steven Wood stated that he has a sign on his property that asks anyone wishing to engage in recreational activities on his property to first ask him permission.
- Mr. Wood stated that he would like to see the permanent distinction removed from the bill, so that the provisions in the bill apply to every kind of tree stand.

**Walt Lacy**

**Landowner**

- Walt Lacy stated that he would like owner identification on all tree stands and to require the permission of a landowner before mounting a tree stand on their property.

**Matt Leahy**

**Forrest Society**

- Matt Leahy began his testimony by stating that the Forrest Society manages land in New Hampshire, and it gives hunters permission to mount tree stands on their land.
- Mr. Leahy stated that the Forrest Society support this bill that requires all hunters to have to properly display owner identification on a tree stand.
- Senator Pearl asked a question, "Do you already require the removal of tree stands by the end of the year?" Mr. Leahy responded, "Yes, we ask for them to be removed by the end of the hunting season".

**Daniel Dockham Jr.**

**Landowner**

- Daniel Dockham Jr. stated that he wants owner identification to be properly displayed on all tree stands.

## Summary of testimony presented in opposition: None

## Neutral Information Presented: None

NPL
Date Hearing Report completed: January 12, 2023

# Speakers

# Senate Energy and Natural Resources Committee
## SIGN-IN SHEET

**ate:** 01/10/2023 **Time:** 9:45 a.m.

**SB 15-FN** AN ACT relative to the use of tree stands and observation blinds

**Name/Representing *(please print neatly)***

| | | | | | |
|---|---|---|---|---|---|
| Senator David Watters (SD 4) | Support ☑ | Oppose ☐ | Speaking? | Yes ☐ | No ☑ |
| Marty Mobley, Fish & Game | Support ☑ | Oppose ☐ | Speaking? | Yes ☐ | No ☒ |
| Kevin Jordan, Fish & Game | Support ☑ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| Daniel Dockham M. | Support ☒ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| Kyle Baker NH Wildlife Federation | Support ☒ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| Ben Lang | Support ☑ | Oppose ☐ | Speaking? | Yes ☐ | No ☒ |
| Walt Lacey | Support ☒ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| MARK LEDGARD | Support ☒ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| Jay Phinizy Acworth | Support ☑ | Oppose ☐ | Speaking? | Yes ☑ | No ☐ |
| Josea A. Stark NH Timberland Owners Assn | Support ☒ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| Tom Thomson Thomson Family Tree Farm | Support ☑ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| STEPHEN WOOD, POVERTY LANE ORCHARDS | Support ☒ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| Rep. Jeff Goley | Support ☒ | Oppose ☐ | Speaking? | Yes ☐ | No ☒ |
| Matt Leahy - Forest Society | Support ☒ | Oppose ☐ | Speaking? | Yes ☒ | No ☐ |
| | Support ☐ | Oppose ☐ | Speaking? | Yes ☐ | No ☐ |
| | Support ☐ | Oppose ☐ | Speaking? | Yes ☐ | No ☐ |
| | Support ☐ | Oppose ☐ | Speaking? | Yes ☐ | No ☐ |
| | Support ☐ | Oppose ☐ | Speaking? | Yes ☐ | No ☐ |
| | Support ☐ | Oppose ☐ | Speaking? | Yes ☐ | No ☐ |

# Senate Remote Testify

## Energy and Natural Resources Committee Testify List for Bill SB15 on 2023-01

Support: 7 Oppose: 1

| Name | Title | Representing | Position |
|---|---|---|---|
| Gendreau, Senator Carrie | An Elected Official | Senate District 1 | Support |
| Lang, Senator Tim | An Elected Official | Senate District 2 | Support |
| Love, Daniel | A Member of the Public | Myself | Oppose |
| Ahern, Henry | A Member of the Public | Myself | Support |
| SAWTELLE, ERICK | A Member of the Public | Myself | Support |
| Trombly, Sean | A Member of the Public | Myself | Support |
| Johnson, II, Robert | A Lobbyist | NH Farm Bureau | Support |
| Levis, Richard | A Member of the Public | Myself | Support |

# Testimony

**Jennifer Horgan**

**From:** Shaun Lagueux <shaunlagueux@gmail.com>
**Sent:** Sunday, January 8, 2023 3:50 PM
**To:** Debra Altschiller
**Subject:** Game camera and tree stand bills.

Caution! This message was sent from outside your organization.

Senator Kevin Avard, Chair

N.H. Senate Energy and Natural Resources Committee

State House, Room 103

Concord, NH 03301

I support both bills as written.

Thank you for the opportunity to testify on this legislation I am a consulting forester from Bristol that manages approximately 50,000 acres of private woodland and President of New England Forestry Consultants, Inc., which manages approximately 250,000 acres in NH. Nearly all of that acreage is open to hunting and game cameras and tree stands are becoming problematic, and in some cases, abusive.

Labeling cameras and tree stands is important as landowners need to know who to contact if a camera or tree stand is inappropriately placed (i.e., viewing a hiking trail) or in a place that will be harvested. Seeking landowner permission for camera placement is a small courtesy, easily accomplished, and it would be infinitely helpful to be able to contact the owners of the cameras and tree stands if needed.

Thank you for considering this testimony

**Jennifer Horgan**

**m:** Pete Howland <petehowland47@gmail.com>
**nt:** Monday, January 9, 2023 7:48 AM
**To:** Kevin Avard; Howard Pearl; Regina Birdsell; David Watters; Debra Altschiller
**Subject:** sb 14-fn, sb 15-fn

Caution! This message was sent from outside your organization.

DEAR SENATOR KEVIN AVARD, CHAIR,

I AM A SEMI-RETIRED FORESTER, LIVING IN CONWAY, AND A PAST PRESIDENT OF THE NEW HAMPSHIRE TIMBERLAND OWNERS ASSN., I HARVEST TIMBER ON PUBLIC AND PRIVATE TIMBERLAND STATEWIDE.

I WOULD LIKE MY COMMENTS ENTERED INTO THE RECORD AND FOR HAVING THE OPPORTUNITY TO COMMENT ON BOTH THE TREE STAND AND GAME CAMERA BILLS.

I'M IN FAVOR OF THE TREE STAND BILL, AS I FEEL IT IS A COMMON COURTESY TO ASK THE LAND OWNER'S PERMISSION TO PLACE A STAND ON THEIR LAND. THEY MAY HAVE SOME PLACES THAT THEY DON'T WANT THEM FOR VARIOUS REASONS, AND THEY MAY HAVE AN UPCOMING TIMBER HARVEST PLANNED. THEY MAY ALSO NOT WANT SPIKES PLACED IN TREES OF HIGH VALUE, BUT WOULD BE HAPPY WITH ONES THAT ARE STRAPPED TO THE TREES.

I ALSO FEEL THAT THE HUNTERS SHOULD ASK LOCAL TOWNS, COUNTY, STATE, AND FEDERAL AGENCY THE SAME MISSION, FOR THE SAME REASONS STATED ABOVE.

I HAD A FEDERAL TIMBER SALE IN THE WHITE MOUNTAINS, WITH A TREE STAND IN THE MIDDLE OF A CLEAR CUT. THE FOREST SERVICE DIDN'T KNOW WHO OWNED IT AND THERE WAS NO CONTACT INFO ON THE TREE STAND, THUS I HAD NOONE TO CONTACT FOR THE REMOVAL. FOR THIS REASON I FEEL THAT IT SHOULD BE LABELED WITH THE PERSONS PHONE/EMAIL AS A MINIMUM, AND SHOULD BE MANDATORY ON PUBLIC LANDS.

I DON'T THINK THAT IT HAS TO BE REMOVED BY THE END OF THE YEAR OR EVEN ANNUALLY, AS LONG AS THE CONTACT INFO IS THERE. TRYING TO REMOVE THEM IN THE WINTER CAN BE DANGEROUS.

THE GAME CAMERA ISSUE ISN'T REALLY BOTHERSOME FOR ME. HOWEVER, I CAN SEE SOME PEOPLE'S CONCERNS ON PRIVATE LAND. MY ONLY CONCERN IS THAT FORESTER, LOGGERS AND LANDOWNERS NOT BE ABLE TO USE THEM ON HARVESTING OPERATIONS AS A SECURITY TOOL, TO OBSERVE VANDALS IN THE HARVESTING AREA. THEY SHOUDT'N HAVE TO PUT THEIR CONTACT INFO OR PLACEMENT INFO ON THE CAMERAS FOR THIS TYPE OF SECURITY.

THANK YOU FOR YOUR CONSIDERATION IN THESE MATTERS.

SINCERELY,
PETE HOWLAND
FORESTER

--
Pete Howland
P.O. Box 2291
Conway, New Hampshire
03818-2291

## Jennifer Horgan

**om:** Scott Rineer <scott@wagnerforest.com>
**nt:** Monday, January 9, 2023 8:37 AM
**To:** Kevin Avard; Howard Pearl; Regina Birdsell; David Watters; Debra Altschiller
**Subject:** support for SB14 & SB15

Caution! This message was sent from outside your organization.

Senator Kevin Avard, Chair
NH Senate Energy & Natural Resources Committee
State House, Room 103
Concord, NH 03301

Subject: Support for **Senate Bill 14** & **Senate Bill 15** as introduced

My name is Scott Rineer and I am a resident of Errol, NH and I am in support of both SB 14 and SB 15 as drafted. I am also the Regional Manager and Forester for the largest land management company in the state, Wagner Forest Management, Ltd., of Lyme, NH, which manages over 150,000 acres in northern and central New Hampshire. It is much appreciated to be given an opportunity to testify on both of these important pieces of legislation to the landowners of the state.

All of the 150,000+ acres of forestland that Wagner manages in New Hampshire is open to the public and the many forms of recreation, including hunting and trapping. This is a privilege that many landowners throughout our state give to the general public. Hunting and trapping has always been a traditional form of recreation in New Hampshire and an important part of our state economy. Over the years, hunting and trapping equipment has evolved and the use of tree stands, blinds and cameras are quite common.

SB 14 & SB 15 will allow landowners to know where these tree stands, blinds and cameras are located and who is using such equipment on their property. Often times, after the hunting seasons are over, landowners or their Forester and logger crews, will find stands or cameras located within a timber harvest unit. Without proper labelling or knowledge of the whereabouts of such equipment, it either gets removed, destroyed or damages the logging equipment. None of which is good for any party involved. Seeking landowner permission for placement of such equipment is a courtesy and furthermore an extension of the privilege to the hunting public.

I support both SB 14 and SB 15 as drafted. Thank you for the opportunity to testify on both of these important articles of legislation.

Sincerely,

Scott D. Rineer

Scott D. Rineer
35 Stump Road, Errol, NH 03579
Regional Manager
gner Forest Management, Ltd.

**Jennifer Horgan**

**From:** Lewis LaClair <llaclair@advancedrisk.com>
**Sent:** Monday, January 9, 2023 5:54 PM
**To:** Kevin Avard; Howard Pearl; Regina Birdsell; David Watters; Debra Altschiller
**Cc:** bchaisson@nhtoa.org
**Subject:** Support for Senate Bills 14 & 15 As Drafted

Caution! This message was sent from outside your organization.

Ladies and Gentlemen,

As a small landowner living in Walpole but owning woodlots in Alstead, Gilsum, Langdon and Walpole I am acutely aware of the issues raised by game cameras and hunting stands in my woodlots. I am therefore fully in support of Senate Bills 14 & 15 as drafted.

I own a total of ~550A in these four towns; I've slowly acquired these woodlots over 41 years, and all of my woodlots are actively managed. I am glad to have hunters on my properties and there are many local hunters who work with me and whom I give permission for hunting, ATVs, cameras and stands. There are many others who hunt on my properties simply as part of the general population of hunters, and as mentioned above, I'm fully supportive of the hunting community. However, it is also important that I be able to fully use my own woodlot, and in order to carry out logging or Timber Stand Improvement (TSI) those who use my lots should have my permission if they want to install cameras or hunting stands, and we need their contact info clearly shown on their property.

My land is posted to prohibit wheeled vehicles (although I have granted several neighbors specific permission to use their ATVs on my property) but I permit hiking, hunting, fishing, etc. My woods roads are also used by the local high school for their cross-country competitions (running and cross-country skiing). I've been extremely generous with all my neighbors, and my woods are used by dozens if not hundreds of people each year. However, that adds to my need to control inappropriate use of cameras or hunting stands.

This bill strikes a reasonable balance for all parties and I encourage you to support the bills as drafted.

Thanks and best regards,
Lewis LaClair | H:603-756-0001 | C:603-381-2541
LLaclair@advancedrisk.com

Timberwolf Logging LLC
Crowe Family Investments LLC
PO Box 455
Littleton NH 03561
603-444-7115

January 9th 2023

To: Chair and members of the NH Senate Energy and Natural Resoursces Committee

From: Rebecca Crowe, co-owner of several businesses and committee member on the New Hampshire Timberland Owners Association.

RE: Testimony in support of Senate bills 14 and 15.

Thank you for your work on behalf of the citizens of New Hampshire.

I am writing to support Senate bills 14 and 15. My support comes from several different places.

First we have a very long history of hunting in our family and understand it is a popular sport throughout New Hampshire. We hope to allow all to use our land for hunting and all recreation.

Second we own over 1,000 acres in the state. We currently allow all activities on our land. If someone wishes to hunt on our land we have no problem at all with that, but if someone wishes to use a game camera or tree stand we expect to be asked prior to either of those being put on our properties. We use our land ourselves throughout all times of the year with our dogs, if someone is hunting we stay away from that area. We do not wish to be in any line of fire or on someones camera at any time. I feel asking before placing should be a common courtesy. Having contact names on both cameras and stands should be the standard.

Third we own a logging company. There have been several times when tree stands have been left behind and damaged trees. Leaving wires that hold the stands in place can cause a huge problem to our equipment. Having wires go through a chipper for example can cost thousands of dollars in repair cost. If a stand had to be removed by a certain time maybe the wires would be removed quicker.

Thank you for your consideration on these two bills.

Sincerely,

Rebecca Crowe, manager
Crowe Family Investments LLC
Timberwolf Logging LLC
rcrowetwolf@gmail.com

**Jennifer Horgan**

**m:** Henry Kunhardt <STARRETTFARM@comcast.net>
**nt:** Monday, January 9, 2023 9:02 PM
**To:** Kevin.Avard@leg.state.nh.uss
**Cc:** Howard Pearl; Regina Birdsell; David Watters; Debra Altschiller
**Subject:** SB 14, SB 15

Caution! This message was sent from outside your organization.

Chairman Avard and members of the Senate Energy and Natural Resources Committee:

Thank you for the opportunity to speak in favor of 2023 Senate Bills 14 and 15 that address tree stands and 'game cameras' placed on my land.

We operate a small farm in Francestown; about 100 acres of it are unposted and open to hunting, hiking, and goofing off. Several hunters have sought, and received, my permission to place cameras and/or temporary tree stands on my property. I do not wish to have unknown others place cameras or stands on my land without permission, and it does not seem like a lot to ask to have them at least leave contact information on the equipment. The alternative, I suppose, is to simply post my land as too many neighbors have already done.

Please support both Senate Bills 14 and 15. Thank you for your consideration.

Henry Kunhardt
[illegible] County Rd
ncestown 03043

# Voting Sheets

# Senate Energy and Natural Resources Committee

## EXECUTIVE SESSION RECORD

*2023-2024 Session* SB

**Bill #** 15-FN

**Hearing date:** 1/10/23

**Executive Session date:** 1/10/23

**Motion of:** OTP **Vote:** 4-0

| Committee Member | Present | Made by | Second | Yes | No |
|---|---|---|---|---|---|
| Sen. Avard, Chair | X | | | X | |
| Sen. Pearl, Vice Chair | X | X | | X | |
| Sen. Birdsell | X | | | X | |
| Sen. Watters | X | [illegible] | X | X | |
| Sen. Altschiller | | | | | |

**Motion of:** _____ **Vote:** _____

| Committee Member | Present | Made by | Second | Yes | No |
|---|---|---|---|---|---|
| Sen. Avard, Chair | | | | | |
| Sen. Pearl, Vice Chair | | | | | |
| Sen. Birdsell | | | | | |
| Sen. Watters | | | | | |
| Sen. Altschiller | | | | | |

**Motion of:** _____ **Vote:** _____

| Committee Member | Present | Made by | Second | Yes | No |
|---|---|---|---|---|---|
| Sen. Avard, Chair | | | | | |
| Sen. Pearl, Vice Chair | | | | | |
| Sen. Birdsell | | | | | |
| Sen. Watters | | | | | |
| Sen. Altschiller | | | | | |

**Reported out by:** Pearl

**Notes:** _____

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, January 10, 2023

THE COMMITTEE ON Energy and Natural Resources

to which was referred **SB 15-FN**

AN ACT relative to the use of tree stands and observation blinds.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator Howard Pearl
For the Committee

Nikolas Liamos 271-3469

ENERGY AND NATURAL RESOURCES

**SB 15-FN**, relative to the use of tree stands and observation blinds.
Ought to Pass, Vote4-0 .
Senator Howard Pearl for the committee.

**General Court of New Hampshire - Bill Status System**

# Docket of SB15

Docket Abbreviations

**Bill Title:** relative to the use of tree stands and observation blinds.

*Official Docket of* **SB15.**:

| Date | Body | Description |
|---|---|---|
| 1/5/2023 | S | **Introduced** 01/05/2023 and Referred to Energy and Natural Resources; **SJ 4** |
| 1/6/2023 | S | **Hearing:** 01/10/2023, Room 103, SH, 09:45 am; **SC 5** |
| 1/10/2023 | S | Committee Report: Ought to Pass, 01/19/2023; **SC 6** |
| 1/19/2023 | S | **Ought to Pass:** MA, VV; OT3rdg; 01/19/2023; **SJ 4** |
| 3/20/2023 | H | Introduced (in recess of) 03/16/2023 and referred to Fish and Game and Marine Resources |
| 3/24/2023 | H | Public Hearing: 04/04/2023 01:00 pm LOB 305-307 |
| 4/11/2023 | H | Executive Session: 04/25/2023 10:00 am LOB 305-307 |
| 4/26/2023 | H | Committee Report: Ought to Pass with Amendment **#2023-1381h** 04/25/2023 **(Vote 19-0; CC)** |
| 5/2/2023 | H | Removed from Consent (Reps. Spillane, Hill, T. Mannion, Notter, Hoell, Santonastaso, Sheehan, Yokela, Harrington, T. Lekas) 05/02/2023 |
| 5/4/2023 | H | Amendment **#2023-1381h**: AA VV 05/04/2023 **HJ 13** P. 45 |
| 5/4/2023 | H | FLAM **#2023-1588h** (Rep. Spillane): AF DV 177-196 05/04/2023 **HJ 13** P. 46 |
| 5/4/2023 | H | **Ought to Pass with Amendment** 2023-1381h: MA VV 05/04/2023 **HJ 13** P. 46 |
| 5/4/2023 | H | Referred to Criminal Justice and Public Safety 05/04/2023 **HJ 13** P. 46 |
| 5/8/2023 | H | Public Hearing: 05/17/2023 10:30 am LOB 202-204 |
| 5/8/2023 | H | Executive Session: 05/17/2023 11:30 am LOB 202-204 |
| 5/31/2023 | H | Committee Report: Ought to Pass 05/17/2023 (Vote 20-0; CC) |
| 6/8/2023 | H | **Ought to Pass:** MA VV 06/08/2023 **HJ 15** P. 5 |
| 6/15/2023 | S | Sen. Avard Moved Nonconcur with the House Amendment; Requests C of C, MA, VV; 06/15/2023; **SJ 19** |
| 6/15/2023 | S | President Appoints: Senators Avard, Pearl, Watters; 06/15/2023; **SJ 19** |
| 6/15/2023 | H | House Accedes to Senate Request for CofC (Reps. Spillane, Roy): MA VV 06/15/2023 **HJ 16** P. 11 |
| 6/15/2023 | H | Speaker Appoints: Reps. Spillane, Goley, Tudor, C. Brown 06/15/2023 **HJ 16** P. 11 |
| 6/21/2023 | S | Committee of Conference Meeting: 06/21/2023, 1:30 p.m., Room 100, SH |
| 6/22/2023 | H | Conference Committee Report **#2023-2227c** Filed 06/22/2023; House Amendment + New Amendment |
| 6/29/2023 | H | Conference Committee Report 2023-c2227: Adopted, VV 06/29/2023 **HJ 17** P. 16 |
| 6/29/2023 | S | Conference Committee Report **#2023-2227c**, Adopted, VV; 06/29/2023; **SJ 20** |
| 7/19/2023 | H | Enrolled (in recess of) 06/29/2023 **HJ 17** P. 18 |
| 7/18/2023 | S | Enrolled Adopted, VV, (In recess 06/29/2023); **SJ 20** |

| | | |
|---|---|---|
| 8/9/2023 | S | Signed by the Governor on 08/04/2023; Chapter 0201; Effective 01/01/2024 |

| NH House | NH Senate |
|---|---|

| Docket of SB15 | | |
|---|---|---|
| 01/05/2023 | S | Introduced 01/05/2023 and Referred to Energy and Natural Resources; SJ 4 |
| 01/06/2023 | S | Hearing: 01/10/2023, Room 103, SH, 09:45 am; SC 5 |
| 01/10/2023 | S | Committee Report: Ought to Pass, 01/19/2023; SC 6 |
| 01/19/2023 | S | Ought to Pass: MA, VV; OT3rdg; 01/19/2023; SJ 4 |
| 03/20/2023 | H | Introduced (in recess of) 03/16/2023 and referred to Fish and Game and Marine Resources |
| 03/24/2023 | H | Public Hearing: 04/04/2023 01:00 pm LOB 305-307 |
| 04/11/2023 | H | Executive Session: 04/25/2023 10:00 am LOB 305-307 |
| 04/26/2023 | H | Committee Report: Ought to Pass with Amendment # 2023-1381h 04/25/2023 (Vote 19-0; CC) |
| 05/02/2023 | H | Removed from Consent (Reps. Spillane, Hill, T. Mannion, Notter, Hoell, Santonastaso, Sheehan, Yokela, Harrington, T. Lekas) 05/02/2023 |
| 05/04/2023 | H | Amendment # 2023-1381h: AA VV 05/04/2023 HJ 13 P. 45 |
| 05/04/2023 | H | FLAM # 2023-1588h (Rep. Spillane): AF DV 177-196 05/04/2023 HJ 13 P. 46 |
| 05/04/2023 | H | Ought to Pass with Amendment 2023-1381h: MA VV 05/04/2023 HJ 13 P. 46 |
| 05/04/2023 | H | Referred to Criminal Justice and Public Safety 05/04/2023 HJ 13 P. 46 |
| 05/08/2023 | H | Public Hearing: 05/17/2023 10:30 am LOB 202-204 |
| 05/08/2023 | H | Executive Session: 05/17/2023 11:30 am LOB 202-204 |
| 05/31/2023 | H | Committee Report: Ought to Pass 05/17/2023 (Vote 20-0; CC) |
| 06/08/2023 | H | Ought to Pass: MA VV 06/08/2023 HJ 15 |
| 06/15/2023 | S | Sen. Avard Moved Nonconcur with the House Amendment; Requests C of C, MA, VV; 06/15/2023; SJ 19 |
| 06/15/2023 | S | President Appoints: Senators Avard, Pearl, Watters; 06/15/2023; SJ 19 |
| 06/15/2023 | H | House Accedes to Senate Request for CofC (Reps. Spillane, Roy): MA VV 06/15/2023 |
| 06/15/2023 | H | Speaker Appoints: Reps. Spillane, Goley, Tudor, C. Brown 06/15/2023 |
| 06/21/2023 | S | Committee of Conference Meeting: 06/21/2023, 1:30 p.m., Room 100, SH |
| 06/22/2023 | H | Conference Committee Report # 2023-2227c Filed 06/22/2023; House Amendment + New Amendment |
| 06/29/2023 | H | Conference Committee Report 2023-c2227: Adopted, VV 06/29/2023 HJ 17 |
| 06/29/2023 | S | Conference Committee Report # 2023-2227c, Adopted, VV; 06/29/2023; SJ 20 |
| 07/19/2023 | H | Enrolled (in recess of) 06/29/2023 HJ 17 |
| 07/18/2023 | S | Enrolled Adopted, VV, (In recess 06/29/2023); SJ 20 |

# Other Referrals

June 21, 2023
2023-2227-CofC
07/08

Committee of Conference Report on SB 15-FN, relative to the use of tree stands and observation blinds.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 207:36-a, VI as inserted by section 1 of the bill by replacing it with the following:

***VI. A portable or temporary tree stand or observation blind that does not violate paragraph I or II may be erected on the land of another from April 25 to June 1 and from August 1 to December 31 of a calendar year. All portable or temporary tree stands or observation blinds shall be removed from the property by June 1, unless allowed by permission from the property owner or designee.***

Amend RSA 207:36-a, IX as inserted by section 1 of the bill by replacing it with the following:

[~~VI.~~] ***IX.*** Any person who violates any provision of this section shall be guilty of a violation and*:*

***(a)*** Shall be liable for the amount of damage caused by the act, to be recovered by the property owner sustaining the damage*; and*

***(b) Shall be liable for any fine amount levied by the fish and game department, to be recovered by the department.***

The signatures below attest to the authenticity of this Report on SB 15-FN, relative to the use of tree stands and observation blinds.

| Conferees on the Part of the Senate | Conferees on the Part of the House |
|---|---|
| Sen. Avard, Dist. 12 | Rep. Spillane, Rock. 2 |
| Sen. Pearl, Dist. 17 | Rep. Goley, Hills. 21 |
| Sen. Watters, Dist. 4 | Rep. Tudor, Rock. 1 |
| | Rep. C. Brown, Graf. 10 |

2023-2227-CofC

AMENDED ANALYSIS

This bill amends the permissible uses of tree stands, observation blinds, and pit blinds.

# Senate Inventory Checklist for Archives

**Bill Number:** SB 15-FN **Senate Committee:** ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

**Bill Hearing Documents: {Legislative Aides}**

X Bill version as it came to the committee
X All Calendar Notices
X Hearing Sign-up sheet(s)
X Prepared testimony, presentations, & other submissions handed in at the public hearing
X Hearing Report
X Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

**Committee Action Documents: {Legislative Aides}**

All amendments considered in committee (including those not adopted):

X - amendment # 0602s ___ - amendment #_____
___ - amendment #_____ ___ - amendment #_____

X Executive Session Sheet
X Committee Report

**Floor Action Documents: {Clerk's Office}**

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment #_____ ___ - amendment #_____
___ - amendment #_____ ___ - amendment #_____

**Post Floor Action: (if applicable) {Clerk's Office}**

X Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference): 2227c
___ Enrolled Bill Amendment(s)
___ Governor's Veto Message

**All available versions of the bill: {Clerk's Office}**

___ as amended by the senate X as amended by the house
X final version

**Completed Committee Report File Delivered to the Senate Clerk's Office By:**

Committee Aide 8/2/23 Date

Senate Clerk's Office AK